

~~United States District Court~~  
~~Southern District of Texas~~  
FILED

JAN 05 2020

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

Eutimio GARZA (YOB: 2000) USA

Case No. M-21-0017-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 04, 2021 in the county of Starr in the  
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 846  
21 USC 841

Offense Description

Conspiracy to Possess with the Intent to Distribute and Possession with  
Intent to Distribute Marijuana, approximately 126.5 Kilograms, a schedule I  
controlled substance.

This criminal complaint is based on these facts:

(See Attachment I)

☒ Continued on the attached sheet.

Approved for filing  
1/5/21



Complainant's signature

Christopher Donahue, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 01/15/2021

City and state: McAllen, Texas



J. Scott Hacker, U.S. Magistrate Judge  
Printed name and title

## ATTACHMENT 1

1. On January 04, 2021, U.S. Border Patrol Agents (BPA) established surveillance in an area known as the Refugio Turnaround near the Rio Grande River in Rio Grande City, Texas. The Refugio Turnaround is known to agents as a pickup location for narcotics entering the United States.
2. At approximately 4:20 p.m., a BPA observed suspected narcotics being smuggled from Mexico into the Refugio Turnaround area. Moments later, the BPA observed a dark colored pickup truck drive towards the Refugio Turnaround. When the truck arrived to the Refugio Turnaround, the BPA observed several subjects emerge from the river area and approach the truck. Soon thereafter, the BPA observed the truck depart the area and travel north. Around this same time, a different BPA observed ten (10) subjects travel south back into Mexico from the Refugio Turnaround area.
3. As agents responded to interdict the dark colored pickup truck, a BPA observed the driver abandon the truck and abscond into an open field. BPAs subsequently apprehended the driver and sole occupant of the truck approximately 150 yards from the truck. The driver was subsequently identified as Eutimio GARZA.
4. BPAs subsequently located five (5) bundles of suspected marijuana in the cab and bed of the abandoned truck that was driven by GARZA. The bundles were processed at the Border Patrol Station, weighed approximately 126.5 kilograms, and contained suspected marijuana. A field test was conducted on a sample from one (1) of the bundles and tested positive for the characteristics and properties of marijuana.
5. On January 04, 2021, agents conducted a post-arrest Mirandized interview of GARZA. During the interview, GARZA admitted to participating in the marijuana smuggling attempt. GARZA stated that the truck that he used to pick up the marijuana was dropped off at his residence on January 03, 2021 in anticipation of the smuggling event. GARZA stated that he was going to be paid for picking up and transporting the marijuana. GARZA stated that he knew he was picking up narcotics and fled from law enforcement when agents began following him.